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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

FURUZONO, T., et al.

JAPAN AS REPRESENTED BY THE Atty. Ref.: FPP-1035-530; Confirmation No. 6831  
PRESIDENT OF NATIONAL  
CARDIOVASCULAR CENTER ET  
AL.

Appl. No. 10/510,132

TC/A.U. 1775

Filed: October 4, 2004

Examiner: Daniel H. Miller

For: TITANIUM OXIDE COMPLEX AND PRODUCTION METHOD THEREOF, AND  
MEDICAL MATERIAL USING THE SAME.

\* \* \* \* \*

May 24, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE**

This is in response to the Office Action, dated March 9, 2007, relating to the  
above-identified patent application.

Claims 1, 4-5, 6 and 9 stand rejected under 35 U.S.C. 102(b) as being  
anticipated by Furuzono (Mater. Sci. Letter 22, 2003, 1737-1740)

It is noted that this Furuzono publication was published in December, 2003, and the  
international filing date of the present application is December 12, 2003. Accordingly,  
this Furuzono publication is not available as a reference against the present application

under 35 U.S.C. 102(b) for the reason that it was not published more than one year prior to the international filing date of the present application.

Claims 1 and 6-7 stand rejected under 35 U.S.C. 102(b) as being anticipated by Bardman et al. (U.S. 2003/0018103). It is noted that Bardman et al. has a publication date of January 23, 2003, and the international filing date of the present application is December 12, 2003. Accordingly, Bardman et al. is not available as a reference against the present application under 35 U.S.C. 102(b) for the reason that it was not published more than one year prior to the international filing date of the present application.

Claims 3, 5 and 8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Furuzono (Mater. Sci. Letter 22, 2003, 1737-1740) in view of Furuzono (13<sup>th</sup> Meeting J.S.B.P.). For the reasons submitted herein with respect to the rejection of Claims 1, 4-5, 6 and 9, it is submitted that Furuzono (Mater. Sci. Mater. Sci. Letter 22, 2003, 1737-1740) is not available as a reference against the present application for the reason that it was published in December, 2003, and the international filing date of the present application is December 12, 2003. Accordingly, the rejection of Claims 3, 5 and 8 under 35 U.S.C. 103(a) should be withdrawn.

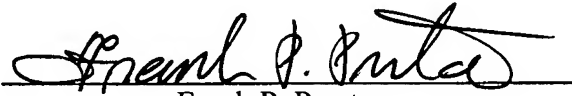
Claims 2 and 7 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Furuzono (Mater. Sci. Letter 22, 2003, 1737-1740). It is again noted that this Furuzono reference is not available as a reference against the claims in the present application under 35 U.S.C. 102(b) or 103(a) for the reason that it was published in December, 2003 and the international filing date of the present application is December 12, 2003. Accordingly, the rejection of Claims 2 and 7 under 35 U.S.C. 103(a) should be withdrawn.

. FURUZONO, T., et al.  
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May 23, 2007

In view of the above remarks, it is submitted that all of Claims 1-9 in the present application are allowable to Applicants and formal allowance thereof is earnestly solicited.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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